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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 10, 2002

APPLICATION OF

SUNESYS OF VIRGINIA, INC.

CASE NO. PUC-2002-00017

For a certificate of public
convenience and necessity to
provide local exchange
telecommunications services

FINAL ORDER

On February 6, 2002, Sunesys of Virginia, Inc. ("Sunesys" or the "Company"), filed an application for a certificate of public convenience and necessity with the State Corporation Commission ("Commission") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

By Order dated March 5, 2002, the Commission directed the Company to provide notice to the public of its application and directed the Commission Staff to conduct an investigation and file a Staff Report. On April 10, 2002, the Company filed proof of publication and proof of service as required by the March 5, 2002, Order.

Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.

In its application, Sunesys requested a temporary waiver of the requirement to file audited financial statements required by §§ B 5 a and E 1 d of the Local Rules. For the particular circumstances of the instant case, Staff requested, and Sunesys agreed, to post a \$50,000 continuous Bond in lieu of the requirement to file audited financial statements. On May 2, 2002, a Motion for Extension of Time to File Staff Report was entered and granted, pending the receipt of certain information from the Company needed by the Staff in order to complete its review of the application.

Upon receipt of that information, the Staff filed its Report on May 13, 2002, finding that Sunesys' application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules"). Based upon its review of Sunesys' application, the Staff determined it would be appropriate to grant the Company a certificate to provide local exchange telecommunications services subject to the following conditions: (1) should Sunesys collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association or savings bank, or credit union that is unaffiliated with the Company and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement

established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary; (2) Sunesys shall notify the Division of Economics and Finance thirty (30) days prior to any cancellation or lapse of its Bond and shall provide a replacement Bond. This requirement shall be maintained until such time as the Staff or the Commission determines it is no longer necessary; and (3) at such time as voice services are initiated by the Company, Sunesys shall comply with all requirements of § C (Conditions for certification) of the Local Rules.

NOW THE COMMISSION, having considered the application and the Staff Report, finds that the Company should be granted a certificate to provide local exchange telecommunications services.

Accordingly, IT IS ORDERED THAT:

(1) Sunesys of Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. T-587, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(3) Should Sunesys collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association or savings bank, or credit union, that is unaffiliated with the Company and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary.

(4) Sunesys is hereby granted a waiver of §§ B 5 a and E 1 d of the Local Rules requiring audited financial statements. In the alternative, Sunesys shall maintain the previously supplied License/Permit Bond ("Bond") in the amount of \$50,000 with the Division of Economics and Finance.

(5) Regarding paragraph 4 of this Order, Sunesys shall notify the Division of Economics and Finance thirty (30) days prior to any cancellation or lapse of its Bond and shall provide a replacement Bond. This requirement shall be maintained until such time as the Staff or the Commission determines it is no longer necessary.

(6) At such time as voice services are initiated by the Company, Sunesys shall comply with all requirements of § C (Conditions for certification) of the Local Rules.

(7) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: T. Borden Ellis, Esquire, LeClair Ryan, P.C., 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; and the Commission's Office of General Counsel and Divisions of Communications, Public Utility Accounting, Public Service Taxation, and Economics and Finance.